

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD E. ENYART, JR.,

Plaintiff,

vs.

**Case No.: 2:09-cv-687
JUDGE SMITH
Magistrate Judge King**

FRANKLIN COUNTY, *et al.*,

Defendants.

ORDER

On May 7, 2013, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Defendant Daniel Thacker's Motion to Dismiss, or in the alternative Motion for Summary Judgment be denied. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Defendant Daniel Thacker's Motion to Dismiss is **DENIED** and his Motion for Summary Judgment is **DENIED WITHOUT PREJUDICE TO RENEWAL**.

IT IS SO ORDERED.

/s/ George C. Smith
**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**